

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

ORLANDO EVANS, ET AL

CIVIL ACTION NO. 07-0383

VERSUS

JUDGE S. MAURICE HICKS, JR.

CITY OF HOMER, ET AL

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, no written objections having been filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that the Motion to Dismiss (Record Document 4) is **GRANTED IN PART** by dismissing Plaintiffs' claims against the Town of Homer for excessive force.

IT IS FURTHER ORDERED that the Motion to Dismiss is **DENIED** in all other respects.

THUS DONE AND SIGNED in chambers at Shreveport, Louisiana, this the 12th day of September, 2007.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE